IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 21081 of 1994

Between:

Yate Rajaram Reddy S/o Raji Reddy
R/o Somidi (V), Post, Hanumakonda (M),
Warangal Dist.

..... PETITIONER

AND

1. Spl. Officer & Competent Authority Urban Land Ceiling, Warangal
2 .The Govt. of A.P. rep. by Secretary
Revenue (UC-II) Dept., Secretariat,
Hyderabad

.... RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring that the order passed in procs. No.A3-1228/1976 dt: 10-3-1978 passed by the 1st respondent and subsequent order passed u/s. 10(1)(3) & (5) of Urban Land Ceiling Act by the 1st respondent is bad, illegal and highly arbitrary.

Counsel for the Petitioner: MR.P.PRABHAKAR REDDY

Counsel for the Respondent No.: GP FOR ASSIGNMENT

The Court made the following:

ORDER:

Heard both sides.

The petitioner herein filed this Writ Petition, inter alia, seeking to assail the orders dated 10.03.1978 which are passed under Section 10(1)(3) and (5) of Urban Land Ceiling Act by the first respondent.

The main grievance of the petitioner is that though he is entitled for exemption under various orders issued by the Government from time to time, no final order has been passed and hence, the Writ Petition.

In the counter affidavit filed on behalf of the respondents, it is specifically stated that no order under Section 8(4) of the said Act is passed by the Special Officer and Competent Authority, Urban Land ceiling, Warangal.

Having considered the submissions made on either side and in view of the fact that no orders are passed under Section 8(4) of the said Act, the respondents have no power to proceed with any further action under the provisions of the aforesaid Act. It is only such orders are passed, the petitioner can work out his remedies available under the law.

Accordingly, the Writ Petition is disposed of directing the respondent No.1 to pass orders under Section 8(4) of the Act after giving notice and opportunity to the parties concern. No costs.

_____

02-09-2004

kvrm/skmr

To

1. Spl. Officer & Competent Authority Urban Land Ceiling, Warangal
2 .The Govt. of A.P. rep. by Secretary
Revenue (UC-II) Dept., Secretariat,
Hyderabad

3. 2 CC to GP for Assignment, High Court Buildings, Hyd.(OUT)

4. 2 CD copies.